

### **REMARKS**

This responds to the Final Office Action mailed on June 7, 2006 and the Advisory Action mailed on August 25, 2006.

Claims 1, 19, and 27 are amended; as a result, claims 1-39 are now pending in this application. This Amendment and Response is being accompanied with an RCE; accordingly, entry of the amendments is appropriate.

### **Drawing Objections**

The drawings were objected to under 37 C.F.R. 1.83(a) for not showing every feature of the invention specified in the claims. The claims have been amended to remove reference to “sale facilitator,” which is the offending phrase that the Examiner according to the Advisory Action believes should be represented in the drawings. Thus, since the phrase is removed via the amendments above, this objection should be withdrawn and no amendments to the drawings are needed.

### **§112 Rejection of the Claims**

The Examiner has indicated that the amendments made after final and not entered would be sufficient to overcome the 112 rejections. These amendments are being remade herewith. Thus, Applicants believe that these 112 rejections are overcome and will be removed on the next action provided by the Examiner.

Moreover, the offending phrase of “automated process” was removed by way of the amendments above. Thus, the sole 112 rejection, which the Examiner stated in the Advisory would remain if the phrase continued to remain in the claims, is now also resolved.

Thus, Applicants believe that with the amendments above all 112 rejections of record are now overcome and will be removed on the next action provided by the Examiner.

### **§103 Rejection of the Claims**

Claims 1-39 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lee et al. (U.S. Publication No. 2002/0099649 A1) in view of Cook (U.S. 6,853,987) and Findley (U.S.

6,108,642). To sustain and obviousness rejection, each and every limitation of the rejected claims must be taught or suggested in the cited references.

Applicants would again like to reiterate that the references are using a convention approach to transacting business over the Internet. Such an arrangement does not include a “payment facilitator” as defined by the positive limitations recited in the independent claims. More specifically, there is no architectural component taught or suggested in the cited references where an intermediary, such as Applicants’ “payment facilitator,” can interact with financial institutions of both buyers and sellers and at the same time the intermediary is designed to detect fraud. Applicants’ arrangement removes previous hurdles of transacting for small or individual buyer and sellers. This is so, because the techniques presented in the cited reference can not allow disparate financial institutions of buyers and sellers to interact seamlessly as Applicants’ invention can. For example, a small seller could not accept Visa from a buyer, if the seller is not equipped to handle Visa transactions. The payment facilitator does permit this transaction by acting as an intermediary to a financial institution of the buyer (Visa) and a different financial institution of the seller, such as a bank account. Moreover, it is the payment facilitator that also protects the seller by detecting fraud, since in the scenario discussed above the seller’s financial institution is not Visa and would not be able to independently detect fraud in such a transaction.

The approaches described in the cited references are conventional techniques and provide no payment facilitator that can interact with different financial institutions of buyers and sellers and at the same time also independently detect fraud transactions.

Therefore, Applicants respectfully request that the rejections of record be withdrawn and the claims be allowed.

**CONCLUSION**

Applicants respectfully submit that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' attorney at (513) 942-0224 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

JASON MAY ET AL.

By their Representatives,

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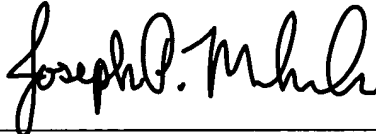
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Date September 13, 2006

By



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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop RCE, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 13 day of September 2006.

Peter Rebutini

Name



Signature